United Nations S/2000/1149

Security Council

Distr.: General
5 December 2000

Original: English

United Kingdom of Great Britain and Northern Ireland: draft resolution

The Security Council,

Recalling its previous relevant resolutions and in particular its resolutions 986 (1995) of 14 April 1995, 1111 (1997) of 4 June 1997, 1129 (1997) of 12 September 1997, 1143 (1997) of 4 December 1997, 1153 (1998) of 20 February 1998, 1175 (1998) of 19 June 1998, 1210 (1998) of 24 November 1998, 1242 (1999) of 21 May 1999, 1266 (1999) of 4 October 1999, 1275 (1999) of 19 November 1999, 1280 (1999) of 3 December 1999, 1281 (1999) of 10 December 1999, 1284 (1999) of 17 December 1999, 1293 (2000) of 31 March 2000 and 1302 (2000) of 8 June 2000,

Convinced of the need as a temporary measure to continue to provide for the humanitarian needs of the Iraqi people until the fulfilment by the Government of Iraq of the relevant resolutions, including notably resolution 687 (1991) of 3 April 1991, allows the Council to take further action with regard to the prohibitions referred to in resolution 661 (1990) of 6 August 1990, in accordance with the provisions of those resolutions,

Convinced also of the need for equitable distribution of humanitarian supplies to all segments of the Iraqi population throughout the country,

Determined to improve the humanitarian situation in Iraq,

Reaffirming the commitment of all Member States to the sovereignty and territorial integrity of Iraq,

Acting under Chapter VII of the Charter of the United Nations,

1. *Decides* that the provisions of resolution 986 (1995), except those contained in paragraphs 4, 11 and 12 and subject to paragraph 15 of resolution 1284 (1999), shall remain in force for a new period of 180 days beginning at 00.01 hours, Eastern Standard Time, on 6 December 2000;

2. *Further decides* that from the sum produced from the import by States of petroleum and petroleum products originating in Iraq, including financial and other essential transactions related thereto, in the 180-day period referred to in paragraph 1 above, the amounts recommended by the Secretary-General in his report of 1 February 1998 (S/1998/90) for the food/nutrition and health sectors should continue to be allocated on a priority basis in the context of the activities of the Secretariat, of which 13 per cent of the sum produced in the period referred to above

00-78283 (E) 051200

shall be used for the purposes referred to in paragraph 8 (b) of resolution 986 (1995);

3. *Requests* the Secretary-General to continue to take the actions necessary to ensure the effective and efficient implementation of this resolution, and to continue to enhance as necessary the United Nations observation process in Iraq including, within 90 days of the adoption of this resolution, to complete the recruitment and placement in Iraq of a sufficient number of observers, in particular the recruitment of the number of observers agreed between the Secretary-General and the Government of Iraq, in such a way as to provide the required assurance to the Council that the goods produced in accordance with this resolution are distributed equitably and that all supplies authorized for procurement, including dual usage items and spare parts, are utilized for the purpose for which they have been authorized, including in the housing sector and related infrastructure development;

4. *Decides* to conduct a thorough review of all aspects of the implementation of this resolution 90 days after the entry into force of paragraph 1 above and again prior to the end of the 180-day period, and *expresses* its intention, prior to the end of the 180-day period, to consider favourably renewal of the provisions of this resolution as appropriate, provided that the reports referred to in paragraphs 5 and 6 below indicate that those provisions are being satisfactorily implemented;

5. *Requests* the Secretary-General to provide a comprehensive report to the Council 90 days after the date of entry into force of this resolution on its implementation and again at least one week prior to the end of the 180-day period, on the basis of observations of United Nations personnel in Iraq, and of consultations with the Government of Iraq, on whether Iraq has ensured the equitable distribution of medicine, health supplies, foodstuffs, and materials and supplies for essential civilian needs, financed in accordance with paragraph 8 (a) of resolution 986 (1995), including in his reports any observations which he may have on the adequacy of the revenues to meet Iraq's humanitarian needs;

6. *Requests* the Committee established by resolution 661 (1990), in close consultation with the Secretary-General, to report to the Council 90 days after the entry into force of paragraph 1 above and prior to the end of the 180-day period on the implementation of the arrangements in paragraphs 1, 2, 6, 8, 9 and 10 of resolution 986 (1995);

7. *Decides* that from the funds produced pursuant to this resolution in the escrow account established by paragraph 7 of resolution 986 (1995), up to a total of 600 million United States dollars may be used to meet any reasonable expenses, other than expenses payable in Iraq, which follow directly from the contracts approved in accordance with paragraph 2 of resolution 1175 (1998) and paragraph 18 of resolution 1284 (1999), and *expresses* its intention to consider favourably the renewal of this measure;

8. *Expresses* its readiness to consider, in the light of the cooperation of the Government of Iraq in implementing all the resolutions of the Council, allowing a sum of 15 million United States dollars drawn from the escrow account to be used for the payment of the arrears in Iraq's contribution to the budget of the United Nations, and *considers* that this sum should be transferred from the account created pursuant to paragraph 8 (d) of resolution 986 (1995);

9. *Requests* the Secretary-General to take the necessary steps to transfer the excess funds drawn from the account created pursuant to paragraph 8 (d) of resolution 986 (1995) for the purposes set out in paragraph 8 (a) of resolution 986 (1995) in order to increase the funds available for humanitarian purchases, including as appropriate the purposes referred to in paragraph 24 of resolution 1284 (1999);

10. *Directs* the Committee established by resolution 661 (1990) to approve, on the basis of proposals from the Secretary-General, lists of basic electricity and housing supplies consistent with the priority given to the most vulnerable groups in Iraq, *decides*, notwithstanding paragraph 3 of resolution 661 (1990) and paragraph 20 of resolution 687 (1991), that supplies of these items will not be submitted for approval of that Committee, except for items subject to the provisions of resolution 1051 (1996), and will be notified to the Secretary-General and financed in accordance with the provisions of paragraphs 8 (a) and 8 (b) of resolution 986 (1995), *requests* the Secretary-General to inform the Committee in a timely manner of all such notifications received and actions taken, and *expresses* its readiness to consider such action with regard to lists of further supplies, in particular in the transport and telecommunications sectors;

11. *Requests* the Secretary-General to expand and update, within 30 days of the adoption of this resolution, the lists of humanitarian items submitted in accordance with paragraph 17 of resolution 1284 (1999) and paragraph 8 of resolution 1302 (2000), *directs* the Committee established by resolution 661 (1990) to approve expeditiously the expanded lists, *decides* that supplies of these items will not be submitted for approval of the Committee established by resolution 661 (1990), except for items subject to the provisions of resolution 1051 (1996), and will be notified to the Secretary-General and financed in accordance with the provisions of paragraphs 8 (a) and 8 (b) of resolution 986 (1995), and *requests* the Secretary-General to inform the Committee in a timely manner of all such notifications received and actions taken;

12. *Decides* that the effective deduction rate of the funds deposited in the escrow account established by resolution 986 (1995) to be transferred to the Compensation Fund in the 180-day period shall be 25 per cent, *further decides* that the additional funds resulting from this decision will be deposited into the account established under paragraph 8 (a) of resolution 986 (1995) to be used for strictly humanitarian projects to address the needs of the most vulnerable groups in Iraq as referred to in paragraph 126 of the report of the Secretary-General of 29 November 2000 (S/2000/1132), *requests* the Secretary-General to report on the use of these funds in his reports referred to in paragraph 5 above, and *expresses its intention* to establish a mechanism to review, before the end of the 180-day period, the effective deduction rate of the funds deposited in the escrow account to be transferred to the Compensation Fund in future phases, taking into account the key elements of the humanitarian needs of the Iraqi people;

13. *Urges* the Committee established by resolution 661 (1990) to review applications in an expeditious manner, to decrease the level of applications on hold and to continue to improve the approval process of applications, and in this regard *stresses* the importance of the full implementation of paragraph 3 above;

14. *Urges* all States submitting applications, all financial institutions, including the Central Bank of Iraq, and the Secretariat, to take steps to minimize the

18. *Requests* the Secretary-General to make the necessary arrangements, subject to the approval of the Council, to allow funds deposited in the escrow account established by resolution 986 (1995) to be used for the purchase of locally produced goods and to meet the local cost for essential civilian needs which have been funded in accordance with the provisions of resolution 986 (1995) and related resolutions, including, where appropriate, the cost of installation and training services, and further *requests* the Secretary-General to make the necessary arrangements, subject to the approval of the Council, to allow funds up to 600 million euros deposited in the escrow account established by resolution 986 (1995) to be used for the cost of installation and maintenance, including training services, of the equipment and spare parts for the oil industry which have been funded in accordance with the provisions of resolution 986 (1995) and related resolutions, and calls upon the Government of Iraq to cooperate in the implementation of all such arrangements;

19. *Urges* all States, and in particular the Government of Iraq, to provide [illegible] for the effective implementation of this resolution;

20. *Calls upon* the Government of Iraq to take the remaining steps necessary to implement paragraph 27 of resolution 1284 (1999), and *further requests* the Secretary-General to include in his reports under paragraph 5 above a review of the progress made by the Government of Iraq in the implementation of these measures;

21. *Requests* also the Secretary-General to prepare a report as expeditiously as possible but no later than 31 March 2001 for the Committee established by resolution 661 (1990) containing proposals for the use of additional export routes for petroleum and petroleum products, under appropriate conditions otherwise consistent with the purpose and provisions of resolution 986 (1995) and related resolutions, and particularly addressing the possible pipelines that might be utilized as additional export routes;

22. *Reiterates* its request in paragraph 8 of resolution 1284 (1999) to the Executive Chairman of the United Nations Monitoring, Verification and Inspection Commission and to the Director General of the International Atomic Energy Agency to complete by the end of this period the revision and updating of the lists of items and technology to which the import export mechanism approved by resolution 1051 (1996) applies;

23. *Stresses* the need to continue to ensure respect for the security and safety of all persons directly involved in the implementation of this resolution in Iraq, and *calls upon* the Government of Iraq to complete its investigation into the death of employees of the Food and Agriculture Organization and to forward it to the Council;

24. *Appeals* to all States to continue to cooperate in the timely submission of applications and the expeditious issue of export licences, facilitating the transit of humanitarian supplies authorized by the Committee established by resolution 661 (1990), and to take all other appropriate measures within their competence in order to ensure that urgently needed humanitarian supplies reach the Iraqi people as rapidly as possible;

25. *Decides* to remain seized of the matter.